

STATE OF SOUTH CAROLINA

(Caption of Case)

Application of Nexus Communications, Inc. for  
Certification as an Eligible Telecommunications Carrier

193924  
BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA

COVER SHEET

DOCKET

NUMBER: 2008 - 215 C

(Please type or print)

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NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition ☐ Request for item to be placed on Commission's Agenda expeditiously

☐ Other:

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)		
<input type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input type="checkbox"/> Letter	<input type="checkbox"/> Request
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certification
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigation
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement
<input type="checkbox"/> Electric/Water/Telecom.	<input checked="" type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery
<input type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition
<input checked="" type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other:
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest	
<input type="checkbox"/> Other:	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit	
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report	

ORIGINAL

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July 16, 2008

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RECEIVED  
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SOUTH CAROLINA  
PUBLIC SERVICE  
COMMISSION

VIA HAND DELIVERY

Charles L. A. Terreni, Esquire  
Chief Clerk and Administrator  
South Carolina Public Service Commission  
101 Executive Center Drive  
Columbia, SC 29210

RE: Application of Nexus Communications, Inc. for Certification as an  
Eligible Telecommunications Carrier

Dear Mr. Terreni:

Enclosed please find for filing an original and fifteen (15) copies of the Application of Nexus Communications, Inc. for Certification as an Eligible Telecommunications Carrier. By copy of this letter, I am serving the Office of Regulatory Staff.

I have enclosed an extra copy of this application which I would ask you to date stamp and return to me via my courier. If you have any questions or if I may provide you with any additional information, please do not hesitate to contact me.

Sincerely,

Elliott & Elliott, P.A.

  
Scott Elliott

SE/jcl  
Enclosures

cc: Lance J.M. Steinhart, Esquire

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF SOUTH CAROLINA**

**IN RE: APPLICATION OF )  
NEXUS COMMUNICATIONS, INC. )  
FOR CERTIFICATION AS AN ELIGIBLE )  
TELECOMMUNICATIONS CARRIER )**

**DOCKET NO. 2008-  
DATE:**

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**APPLICATION FOR CERTIFICATION AS AN ELIGIBLE  
TELECOMMUNICATIONS CARRIER**

Nexus Communications, Inc. (“Nexus” or the “Applicant”), pursuant to Section 214(e)(2) of the Communications Act of 1934, as amended (the “Act”)<sup>1</sup> and Sections 54.101 through 54.207 of the Rules of the Federal Communications Commission (“FCC”),<sup>2</sup> and the rules and regulations of the South Carolina Public Service Commission (the “Commission”), hereby applies to the Commission for certification as an Eligible Telecommunications Carrier (“ETC”) throughout the BellSouth Telecommunications, Inc. d/b/a AT&T South Carolina service territory (the “Designated Service Area”) for the purpose of receiving federal universal service support. A list of each wire center which the Applicant is requesting ETC status in the State of South Carolina is attached hereto as Exhibit 1. The Applicant is seeking only low income support, and is not requesting high cost support. As demonstrated below, Nexus satisfies all of the statutory and regulatory requirements for designation as an ETC in the Designated Service Area. Furthermore, designation of Nexus as an ETC in the Designated Service Area will serve the public interest. Accordingly, Nexus respectfully requests that the Commission grant this Application.

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<sup>1</sup> 47 U.S.C. § 214(e)(2).

<sup>2</sup> 47 C.F.R. §§ 54.101-54.207.

All correspondence, communications, pleadings, notices, orders and decisions relating to  
this Application should be addressed to:

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## **I. Background**

1. Nexus is an Ohio Corporation<sup>3</sup> and is authorized to conduct business as a foreign corporation in the State of South Carolina. Copies of the Applicant's Articles of Incorporation and authority to transact business in the State of South Carolina are on file with the Commission and incorporated herein by reference. The Applicant was granted a Certificate of Public Convenience and Necessity to Provide Competitive Resold Local Exchange Telecommunications Services within the State of South Carolina Pursuant to Order No. 2004-421 issued in Docket No. 2004-59-C on September 3, 2004. The principal office of the Applicant is located at 3629 Cleveland Avenue, Suite C, Columbus, Ohio 43224. The telephone number of the Applicant is (740) 549-1092. The Applicant's web site is [www.tsihomephone.com](http://www.tsihomephone.com). The Applicant provides local exchange and exchange access services in the Designated Service Area using a combination of resale and unbundled network elements, or unbundled network equivalents obtained through agreements ("UNEs") that allow end-to-end switching and delivery of calls. Nexus was designated as an ETC in the States of Alabama, California, Florida, Illinois, Kansas, Kentucky, Michigan, Oklahoma, Texas and Wisconsin.

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<sup>3</sup> Nexus was incorporated in the State of Ohio on September 11, 2000

2. As set forth in Section 214(e)(2) of the Act, the Commission “shall upon its own motion or upon request designate a common carrier that meets the requirements of [Section 214(e)(1)] as an eligible telecommunications carrier for a service area designated by the State commission.”<sup>4</sup> Upon designation as an ETC, the carrier shall be eligible to receive universal support in accordance with Section 254 of the Act.<sup>5</sup>

3. The requirements for designation as an ETC set forth in Section 214(e)(1) are that the carrier must:

- (A) offer the services that are supported by Federal universal support mechanisms under section 254(c), either using its own facilities or a combination of its own facilities and resale of another carrier’s services (including the services offered by another eligible telecommunications carrier); and
- (B) advertise the availability of such services and the charges therefore using the media of general distribution.<sup>6</sup>

## **II. Nexus Satisfies the Requirements for Designation as an ETC to Serve the Designated Service Area**

4. Nexus is a common carrier as that term is defined in the Act.<sup>7</sup> The Applicant provides competitive local telecommunications services in the Designated Service Area pursuant to Order No. 2004-421 issued in Docket No. 2004-59-C referenced above.

5. Nexus offers all of the supported services enumerated under Section 254(c) using facilities obtained as UNEs, or the equivalents thereof. According to FCC Rules, facilities obtained as UNEs satisfy the requirement that an ETC provide the supported services using

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<sup>4</sup> 47 U.S.C. § 214(e)(2); *see* 47 C.F.R. § 54.201(b) (FCC Rules citing the Act’s requirements).

<sup>5</sup> 47 U.S.C. § 214(e)(1).

<sup>6</sup> *Id.*

<sup>7</sup> *See* 47 U.S.C. § 153(10) (“the term ‘common carrier’ or ‘carrier’ means any person engaged as a common carrier for hire, in interstate or foreign communication by wire or radio or in interstate or foreign radio transmission of energy . . .”).

either its own facilities or a combination of its own facilities and resale of another carrier's services.<sup>8</sup> Accordingly, the Applicant satisfies the requirement set forth in Section 214(e)(1)(A).

6. The services that are supported by Federal universal support mechanisms under section 254(c) are enumerated in the rules of the Federal Communications Commission ("FCC") at 47 C.F.R. § 54.101(a)(1)-(9). These services are:

a) Voice grade access to the public switched network. "Voice grade access" is defined as a functionality that enables a user of telecommunications services to transmit voice communications, including signaling the network that the caller wishes to place a call, and to receive voice communications, including receiving a signal indicating there is an incoming call. For the purposes of this part, bandwidth for voice grade access should be, at a minimum, 300 to 3,000 Hertz. Applicant meets this requirement by providing voice-grade access to the public switched telephone network. Through its agreements with AT&T, all customers of Applicant are able to make and receive calls on the public switched telephone network within the specified bandwidth;

b) Local usage. "Local usage" means an amount of minutes of use of exchange service, prescribed by the FCC, provided free of charge to end users. Applicant includes specified quantities of usage in its rate plans and thereby

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<sup>8</sup> Section 54.201(f) of the FCC's Rules states, "[f]or the purposes of this section, the term 'own facilities' includes, but is not limited to, facilities obtained as unbundled network elements pursuant to Part 51 of this chapter, provided that such facilities meet the definition of the term 'facilities' under this subpart." 47 C.F.R. § 54.201(f). The term "facilities" under Section 54.201 is defined as "any physical components of the telecommunications network that are used in the transmission or routing of the services that are designated for support pursuant to subpart B of this part." 47 C.F.R. § 54.201(e). Nexus's use of UNEs, including § 251 loops, or equivalents thereof, commingled with § 271 elements provided pursuant to an agreement filed with the Commission pursuant to § 252, meets this definition of "facilities."

complies with the requirement. It is important to note, that currently, there is no specific rule that requires an ETC to include any particular amount of local usage;

c) Dual tone multi-frequency signaling or its functional equivalent. "Dual tone multi-frequency" (DTMF) is a method of signaling that facilitates the transportation of signaling through the network, shortening call set-up time. Through its agreements with AT&T, Applicant provides DTMF signaling to its customers, which is the equivalent of that offered by the incumbent LECs to its customers;

d) Single-party service or its functional equivalent. "Single-party service" is telecommunications service that permits users to have exclusive use of a wireline subscriber loop or access line for each call placed, or, in the case of wireless telecommunications carriers, which use spectrum shared among users to provide service, a dedicated message path for the length of a user's particular transmission. Applicant meets the requirement of single-party service by providing a dedicated message path for the length of all customer calls;

e) Access to emergency services. "Access to emergency services" includes access to services, such as 911 and enhanced 911, provided by local governments or other public safety organizations. 911 is defined as a service that permits a telecommunications user, by dialing the three-digit code "911," to call emergency services through a Public Service Access Point (PSAP) operated by the local government. "Enhanced 911" is defined as 911 service that includes the ability to provide automatic numbering information (ANI), which enables the PSAP to call back if the call is disconnected, and automatic location information



(ALI), which permits emergency service providers to identify the geographic location of the calling party. "Access to emergency services" includes access to 911 and enhanced 911 services to the extent the local government in an eligible carrier's service area has implemented 911 or enhanced 911 systems. Through its agreements with AT&T, Applicant currently provides its subscribers access to 911 emergency services, and also provides Enhanced 911 services including Phase I and Phase II E911 services where requested by local public safety authorities ready to receive the information and where the local exchange carrier supports such services;

f) Access to operator services. "Access to operator services" is defined as access to any automatic or live assistance to a consumer to arrange for billing or completion, or both, of a telephone call. Operator services are offered by Applicant;

g) Access to interexchange service. "Access to interexchange service" is defined as the use of the loop, as well as that portion of the switch that is paid for by the end user, or the functional equivalent of these network elements in the case of a wireless carrier, necessary to access an interexchange carrier's network. Applicant provides long distance access to its customers;

h) Access to directory assistance. "Access to directory assistance" is defined as access to a service that includes, but is not limited to, making available to customers, upon request, information contained in directory listings. Applicant provides access to directory assistance to its customers; and

i) Toll limitation for qualifying low-income consumers. Toll limitation for qualifying low-income consumers is linked to participation in the Lifeline program, which Applicant will participate in and offer upon designation as an ETC. Applicant will use the appropriate toll limitation technology to provide this required service at no additional charge to Lifeline customers.

7. Upon certification as an ETC, Nexus will participate in, and offer, LifeLine and Link-Up programs to qualifying low-income consumers and publicize the availability of Lifeline and Link-Up services in a manner reasonably designed to reach those likely to qualify for those services, as required by FCC Rules.<sup>9</sup> The FCC has concluded that even pure resellers may qualify as an ETC and properly use universal service support for the purposes for which it was intended by offering reduced price Lifeline service.<sup>10</sup>

8. Nexus will advertise the availability of the above-referenced services and the charges for those services in the Designated Service Area using media of general distribution, as required by FCC Rules.<sup>11</sup>

### **III. Area for Which ETC Certification Is Requested**

9. Nexus has served and will continue to serve the exchanges where it leases UNEs or resells the services of the non-rural telephone companies in the Designated Service Area. Nexus does not seek certification as an ETC in any areas served by rural telephone companies.

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<sup>9</sup> See 47 C.F.R. §§ 54.401-54.417; 54.405(b)& 54.411(d)..

<sup>10</sup> See *Federal-State Joint Board on Universal Service, Petition of Tracfone Wireless, Inc.* 20 FCC Rcd 15095 (2005) (finding that because Lifeline support is customer-specific and is directly reflected in the price that the eligible customer pays, it is impossible for any carrier to receive a double recovery of the support).

<sup>11</sup> See 47 C.F.R. §§ 54.201(d)(2).

#### **IV. Granting Nexus's Application Will Serve the Public Interest**

10. Congress requires that the Commission grant competitive ETC applications in non-rural areas.<sup>12</sup> No specific public interest test is mentioned, as is the case for areas served by rural telephone companies.<sup>13</sup> Thus, the Act provides that the Commission “shall” designate Nexus as an ETC upon finding that the company meets the nine-point list of services and that it agrees to advertise the supported services throughout the Designated Service Area. Notwithstanding, the designation of Nexus as an ETC will serve the public interest.

11. A central purpose of the Telecommunications Act of 1996 was to “promote competition and reduce regulation ... [thereby securing] lower prices and higher quality services ... and encourage the rapid deployment of new telecommunications technologies.”<sup>14</sup> Designation of Nexus as an ETC would further these goals. Granting ETC status to Nexus would allow the Applicant to obtain federal universal service support, which it will use to offer innovative telecommunications services at competitive prices to non-rural consumers in the Designated Service Area.

12. Nexus will announce and advertise telecommunications services as an ETC where it provides service in its Designated Service Area in South Carolina and will publicize the availability of Lifeline and Link-Up services in a manner reasonably designed to reach those likely to qualify for those services. Accordingly, more low-income South Carolina residents will be made aware of the opportunities afforded to them under the Lifeline and Link-Up programs and will be able to take advantage of those opportunities by subscribing to Nexus's service.

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<sup>12</sup> See 47 U.S.C. 214(e)(2).

<sup>13</sup> See *Id.*

13. Nexus will provide universal service as an ETC in all of its Designated Service Area.

14. Nexus is willing to accept carrier of last resort obligations throughout the universal service areas in which Nexus is designated as an ETC by the Commission.

15. Nexus is aware that it may seek USF funding only with respect to those customers that it serves through the use of its own facilities (including unbundled network elements or equivalent facilities).

16. Nexus will provide equal access to interexchange service.

17. Under FCC guidelines, an ETC Applicant must submit a five-year plan that describes with specificity proposed improvements or upgrades to the applicant's network on a wire center-by-wire center basis throughout its proposed Designated Service Area. The only circumstance warranting deviation from this requirement is where an applicant's requested ETC serving territory would qualify it to receive no "high cost" USF support, but only "low income" USF support. Because Nexus seeks ETC designation solely for purposes of reimbursement for provision of subsidized Lifeline and Link-Up services to eligible customers, submission of a Five-Year Network Improvement Plan is not required at this time. Since Lifeline support is designed to reduce the monthly cost of telecommunications services for eligible consumers, and is distributed on a per-customer basis and is directly reflected in the price that the eligible customer pays, it is assured that all support received by the carrier is used to provide Lifeline services to consumers, thus promoting Lifeline and the availability of telephone service to low income users, which is clearly in the public interest.

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<sup>14</sup> The Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat. 56, 56 (1996).

18. Applicant offers a local usage plan comparable to the one offered by the incumbent LEC in the service areas for which it seeks designation.

19. Under FCC guidelines, an ETC Applicant must demonstrate that it will satisfy applicable consumer protection and service quality standards. 47 CFR §54.202(a)(3); *see In the Matter of Federal-State Joint Board on Universal Service*, Report and Order, CC Dkt. No. 96-45, 20 FCC Rcd 6371, para. 28 (2005) (FCC ETC Order). Applicant will satisfy all such standards. As part of its certification requirements for providing local exchange services, Applicant must abide by the service quality and consumer protection rules. In addition, Applicant commits to reporting information on consumer complaints per 1,000 lines on an annual basis consistent with the FCC ETC Order. Applicant in general commits to satisfying all such applicable state and federal requirements related to consumer protection and service quality standards.

20. Under FCC guidelines, an ETC Applicant must demonstrate its ability to remain functional in emergency situations. 47 CFR §54.202(a)(2); *see* FCC ETC Order at para. 25.

Applicant provides to its customers the same ability to remain functional in emergency situations as currently provided by the ILECs to their own customers, including access to a reasonable amount of back-up power, rerouting of traffic around damaged facilities, and the capability of managing traffic spikes resulting from emergency situations.

21. Under FCC guidelines, an ETC Applicant must commit to provide service throughout its proposed designated service area to all customers making a reasonable request for service. FCC ETC Order at Para 22; 47 CFR §54.202(a)(1)(i). Applicant commits to provide service throughout its proposed ETC-designated service area to all customers making a reasonable request for service.

22. By this application, Applicant hereby asserts its willingness and ability to comply with all the rules and regulations that the Commission may lawfully impose upon Applicant's provision of service contemplated by this application.

Applicant has requested ETC designation in wire centers located throughout, the service area of BellSouth/AT&T South Carolina, a non-rural carrier. Additionally, Applicant has limited its requested USF support to the federal USF low income support program. Applicant certifies that all low income USF funding it receives will be used to provide a credit to its Lifeline and Link-up eligible customers, consistent with 47 CFR 54.403. Additionally, Applicant agrees to offer lifeline packages which are consistent with those published on its website and will amend its proposed to include those same lifeline packages.

Applicant agrees to include in its quarterly Service Quality Report the number and justification of applications held for more than 30 days and the number and justification of

applications that were denied. Nexus will only seek direct low income support from the Federal Universal Service Fund for those lines provided through the use of its own facilities or through a combination of its own facilities and the leased facilities of another carrier. Applicant also agrees to report quarterly the percentage of consumers offered Lifeline via resale versus commercial agreements.

Applicant agrees to utilize the same qualifying criteria for Lifeline and Link-up as is offered in the BellSouth territory (eligibility for TANF, Food Stamps, and Medicaid).

Applicant agrees to provide Lifeline customers an additional \$3.50 credit in order that the federal matching monies can be maximized. This will yield a Lifeline credit of \$13.50 per month which is consistent with the credit offered throughout BellSouth service area.

Applicant agrees that it will abide by all advertising and reporting and verification requirements established by the FCC and Commission.

Should Applicant seek designation as an ETC for high cost support, Applicant will file an additional and separate application with the Commission that addresses all applicable state and federal laws, rules and regulations, including, but not limited to, an appropriate build-out plan that includes the use of its own facilities in addition to those obtained through commercial agreements to provide services to un-served areas.

Applicant shall submit a two-year plan that describes the carrier's plans for advertising and outreach programs for identifying, qualifying and enrolling eligible participants in the Lifeline and Link Up programs.

The Applicant's Lifeline tariff revisions are attached hereto as Exhibit 2.

Applicant shall comply with all applicable state and federal laws, rules, and regulations regarding ETC designation and reporting requirements.

23. Upon Commission request, Applicant is prepared to answer questions or present additional testimony or other evidence about its services within the state.

**V. Relief Requested**

For the foregoing reasons, Nexus respectfully requests that the Commission grant its application and designate the Applicant as an ETC for the Designated Service Area.

Respectfully submitted this 16<sup>th</sup> day of July, 2008.

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Its Attorneys



## **Exhibit 1**

### **Wire Centers**

Company	Switch
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	CLVRSCESRS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	BMBRSCMARS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	SPFDSCMARS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	JHTNSCMARS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	BAVLSCMARS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	EOVRSCMARS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	CLMASCSA773
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	AIKNSCMAXMD
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	PRSRSCMARS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	NWBYSMA27E
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	CMDNSCLGRS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	ORBGSCMA53E
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	BRWLSCBERS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	ALDLSCMARS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	BATHSCMARS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	BTBGSCMA53E
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	EDFDSCMARS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	AIKNSCMA64E
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	NWELSCMARS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	GIVLSCMARS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	YORKSCMA68F
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	WHTMSCMARS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	CMDNSCMA43F
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	CLMASCPARS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	CLMASCSCRS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	CLMASCDF78E
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	CLMASCSH77E
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	CLMASCAR75E
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	CLMASCSU78E
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	DNMKSCESRS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	WCLMSCMARS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	LKWLSCRSR1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	CLMASCC78E
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	BHISSCMARS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	CLMASCSA77E
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	HCGVSCMARS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	SHRNSCMARS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	CLMASCBQRS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	CLMASCSW79E
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	CHAPSCCLRS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	NAGSSCMA27E
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	CLMASCSCRS2
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	GSTANCSO85G
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	CLMASCSN25E
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	CLMASCSN79F
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	RWLDNCMARS0
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	GBSNNCMARS0
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	TMVLSCMARS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	MARNSCBNRS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	SCHLSCESRS1

BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	DRTNSCMA39F
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	CHTNSCBE5MD
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	MARNSCMA42E
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	BEVLSCMA47E
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	MCCLSCMARS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	MLNSSCWP46E
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	BLNHSCMARS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	CHTNSCJN55E
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	CLIOSCMARS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	FLBHSCMARS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	STGRSCMARS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	LATTSCLSRS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	LKVWSCMARS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	CHTNSCWA85E
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	CHTNSCJM79E
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	DLLNSCMA77E
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	CHTNSCWA55E
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	HTVLSCMA33E
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	CHTNSCDP82E
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	SBRKSCSKRS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	EDBHSCMARS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	SUVLSCMA87E
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	ISPLSCISRS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	CHRWSCES53E
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	CHTNSCLB55E
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	MNPLSCES88F
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	CHTNSCDT72E
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	CHTNSCNO74F
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	FLRNSCMA66F
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	GNVLSCWPRS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	ARSNSCTVRS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	ARSNSCAHRS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	BETNSCMA33E
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	HNPSCMARS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	GNVLSCBE24E
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	GNVLSCCR27E
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	CWPNSCMARS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	UNINSCMA42E
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	PCLTSCMARS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	LYMNSCIP433
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	SPBGSCHW50E
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	SPBGSCCV57E
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	FNVLSCMARS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	SPBGSCWV57E
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	GNVLSCWE26E
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	GNVLSCCH24E
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	CENTSCWRS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	PNTNSCMARS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	WMNSSCESRS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	JNVLSCMARS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	JONNSCESRS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	WLHLSCESRS1

BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	SPBGSCBS57E
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	TRRSSCMARS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	MRTTSCMARS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	BLBGSCMARS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	LBRTSCMA84E
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	PDMTSCESRS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	CLNSNCMA65E
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	ESLYSCMA85E
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	FNINSCES86F
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	SXMLSCMARS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	PCKNSCES87E
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	GFNYSCMA48F
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	GRVRNCMARS0
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	CLTNSCMA83E
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	SALMSCMARS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	WMTNSCPW84F
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	SPBGSCMA57E
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	LYMNSCES43E
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	ARSNSCMA22F
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	TKNASCSTRS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	GNVLSCDT23F
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	BLRGSCMARS1
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	SENCSCMA88E
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	GNVLSCWR28F
BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL	GRERSCMA87F

**Exhibit 2**  
**Lifeline Tariff Revisions**

(N)

3.7 Lifeline Program

A. General

- (i) The Lifeline program is designed to increase the availability of telecommunications services to low income subscribers by providing a credit to monthly recurring local service for qualifying residential subscribers. Basic terms and conditions are in compliance with the FCC's Order on Universal Service in CC Docket No. 97-157, which adopts the Federal-State Joint Board's recommendation in CC Docket No. 96-45, which complies with the Telecommunications Act of 1996. Specific terms and conditions are as prescribed by the South Carolina Public Service Commission and are as set forth in this tariff.
- (ii) Lifeline is supported by the federal universal service support mechanism.
- (iii) Federal baseline support of eight dollars and twenty-five cents (\$8.25) is available for each Lifeline service and is passed through to the subscriber. An additional three dollars and fifty cents (\$3.50) credit is provided by the Company. Supplemental federal support of one dollar and seventy-five cents (\$1.75), matching one half of the Company contribution, will also be passed along to the Lifeline subscriber. The total Lifeline credit available to an eligible customer in South Carolina is thirteen dollars and fifty cents (\$13.50). The amount of credit will not exceed the charge for local service, which includes the access line, the Subscriber Line Charge and local usage.

B. Regulations

(i) General

- (a) Customers eligible under the Lifeline program are also eligible for connection assistance under the Link-Up program.
- (b) One low income credit is available per household and is applicable to the primary residential connection only. The named subscriber must be a current recipient of any of the low income assistance programs identified in Section B(ii)(a) following.
- (c) A Lifeline customer may subscribe to any local service offering available to other residential customers. Since the Lifeline credit is applicable to the primary residential connection only, it may not be applied to multiple lines in a package for local service.
- (d) Toll blocking, if elected, will be provided at no charge to the Lifeline subscriber.
- (e) No deposit will be required of a Lifeline customer who subscribes to toll blocking. If a Lifeline customer removes toll blocking prior to establishing an acceptable credit history, a deposit may be required. When applicable, advance payments will not exceed the connection and local service charges for one month.
- (f) Neither the Federal Universal Service Charge nor the South Carolina Intrastate Universal Service Surcharge will be billed to Lifeline customers.

(N)

Issued: \_\_\_\_\_

Steven Fenker, President  
Nexus Communications, Inc.  
3629 Cleveland Avenue, Suite C  
Columbus, Ohio 43224

Effective: \_\_\_\_\_

3.7 Lifeline Program (Cont'd.)

B. Regulations (Cont'd.)

(i) General (Cont'd.)

(g) A Lifeline subscriber's local service will not be disconnected for non-payment of regulated toll charges. Local service may be denied for non-payment of local calls in accordance with Section 2. Access to toll service may be denied for non-payment of regulated tolls. A Lifeline subscriber's request for reconnection of local service will not be denied if the service was previously denied for non-payment of toll charges.

(h) At no time shall a customer's Lifeline rate go below zero.

(ii) Eligibility

(a) To be eligible for a Lifeline credit, a customer must be a current recipient of any one of the following low income assistance programs.

1. Temporary Assistance to Needy Families (TAW), previously known as AFDC.
2. Food Stamps
3. Medicaid

(b) All applications for service are subject to verification with the state agency responsible for administration of the qualifying program.

(iii) Certification

(a) Proof of eligibility in any of the qualifying low income assistance programs should be provided to the Company within 30 days of application for service. The Lifeline credit will not be established until proof of eligibility has been received by the Company. When eligibility documentation is provided, the Lifeline credit will be provided on a going forward basis.

(b) The Company reserves the right to periodically audit its records, working in conjunction with the appropriate state agencies, for the purpose of determining continuing eligibility. Information obtained during such audit will be treated as confidential information to the extent required under State and Federal laws. The use or disclosure of information concerning enrollees will be limited to purposes directly connected with the administration of the Lifeline plan.

(c) When a customer is determined to be ineligible as a result of an audit, the Company will contact the customer. If the customer cannot provide eligibility documentation within 60 calendar days, the Lifeline credit will be discontinued.

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Nexus Communications, Inc.  
3629 Cleveland Avenue, Suite C  
Columbus, Ohio 43224

Effective: \_\_\_\_\_

(N)

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(N)

3.7 Lifeline Program (Cont'd.)

B. Regulations (Cont'd.)

(iv) General

- (a) Lifeline is provided as a monthly credit on the eligible residential subscriber's access line bill for local service.
- (b) Service Charges in Section 4 are applicable for installing or changing Lifeline service.
- (c) Link-Up connection assistance in Section 4 may be available for installing or relocating Lifeline service.
- (d) The Service Change Charge in Section 4 is not applicable when existing service is converted intact to Lifeline.
- (v) The total Lifeline credit consists of one federal credit plus one (1) Company credit

(a) Federal credit

Monthly Credit

- 1. Temporary Assistance to Needy Families \$10.00
- 2. Food Stamps \$10.00
- 3. Medicaid \$10.00

(b) Company credit

- 1. All programs, one per Lifeline service \$ 3.50

3.8 Link-Up South Carolina

A. General

- (i) Link-Up is a program designed to increase the availability of telecommunications services to low income subscribers by providing a credit to the non-recurring installation and service charges to qualifying residential subscribers. Basic terms and conditions are in compliance with the FCC's Order on Universal Service in CC Docket 97-157, which adopts the Federal-State Joint Board's recommendation in CC Docket 96-45, which complies with the Telecommunications Act of 1996. Specific terms and conditions are as prescribed by the South Carolina Public Service Commission and are as set forth in this tariff.
- (ii) Link-Up is supported by the federal universal service support mechanism.
- (iii) A federal credit amount of fifty percent (50%) of the non-recurring charges for connection of service, up to a maximum of thirty dollars (\$30.00), is available to be passed through to the subscriber.

(N)

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3629 Cleveland Avenue, Suite C  
Columbus, Ohio 43224

Effective: \_\_\_\_\_



3.8 Link-Up South Carolina (Cont'd.)

(N)

B. Regulations

(i) General

- (a) Customers eligible under Link-Up are also eligible for monthly recurring assistance under the Lifeline program.
- (b) Link-Up connection assistance is available per household and is applicable to the primary residential connection only.
- (c) The Link-Up credit is available each time the customer installs or relocates the primary residential service.
- (d) To receive the credit, proof of eligibility must be provided within 30 days after installation of service.
- (e) The total tariffed charges for connecting service, including service and other installation charges, are considered in the credit calculation.

(ii) Eligibility

- (a) To be eligible for a Link-Up credit, the named subscriber must be a current recipient of any of the following low income assistance programs:
  - 1. Temporary Assistance to Needy Families (TANF), previously known as AFDC
  - 2. Food Stamps
  - 3. Medicaid
- (b) All applications for service are subject to verification with the state agency responsible for administration of the qualifying program.

(iii) Certification

- (a) Proof of eligibility in any of the qualifying low income assistance programs should be provided to the Company within 30 days of application for service. The Link-Up credit will not be established until proof of eligibility has been received by the Company.
- (b) The use or disclosure of information concerning enrollees will be limited to purposes directly connected with the administration of the Link-Up plan.

C. Rates and Charges

The federal credit available for a Link-Up connection is thirty dollars (\$30.00) maximum or fifty percent (50%) of the installation and service charges from this Tariff, whichever is less.

Issued: \_\_\_\_\_

Steven Fenker, President  
Nexus Communications, Inc.  
3629 Cleveland Avenue, Suite C  
Columbus, Ohio 43224

Effective: \_\_\_\_\_

(N)

ORIGINAL

## CERTIFICATE OF SERVICE

The undersigned employee of Elliott & Elliott, P.A. does hereby certify that she has served below listed parties with a copy of the pleading(s) indicated below by mailing a copy of same to them in the United States mail, by regular mail, with sufficient postage affixed thereto and return address clearly marked on the date indicated below:

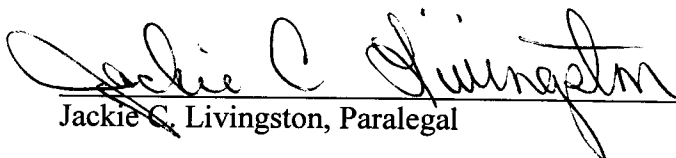
RE: Application of Nexus Communications, Inc. for  
Certification as an Eligible Telecommunications Carrier

DOCKET NO.:

PARTIES SERVED: C. Dukes Scott, Esquire  
Office of Regulatory Staff  
PO Box 11263  
Columbia, SC 29211

PLEADING: APPLICATION

July 16, 2008

  
Jackie C. Livingston, Paralegal

SO FORTH SERVICE  
PROVISION

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